UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/387,616	08/31/1999	DAN KIKINIS	P3233D1	2803

24739   7590   06/10/2004

CENTRAL COAST PATENT AGENCY
PO BOX 187
AROMAS, CA 95004

EXAMINER
KNOWLIN, THJUAN P

ART UNIT	PAPER NUMBER
2642	

DATE MAILED: 06/10/2004

14

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 April 2004</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *31 August 1999* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1.   Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Sonesh

et al (US 6,046,762).

2.   In regards to claims 1, 8, 15, 20, 22, and 23, Sonesh discloses a method and

system for establishing a remote agent station (Fig. 1 and remote call agents 121 and

Fig. 5 and remote agents 503)) from a call center (Fig. 1 and local call agents 120) and

Fig. 5 and call centers 501 and 502), comprising steps of: establishing a data link

between a computer platform at the remote agent station and a CTI processor

connected to a telephony switch at the call center (col. 6 lines 34-37 and col. 9-10 lines

63-4); determining to switch a selected one of the incoming calls to an agent at the

remote agent station; retrieving data associated with the selected incoming call from a

database (database server 130) at the call center (Fig. 1, col. 6 lines 49-55, and col. 7

lines 17-21); forwarding the data associated with the selected incoming call to the

computer platform at the remote agent station via the data link; placing a call from the

call center to a telephone at the remote agent station; and switching the selected

incoming call to the remote agent station (Fig. 5 and col. 10 lines 5-32).

3.   In regards to claims 2 and 9, Sonesh discloses a method, wherein the CTI

processor at the call center and the computer platform at the remote agent station each

have a modem connected by a telephony line to a telephony network, and the data link

is established by the computer platform dialing up the CTI processor through the

telephony network (col. 6-7 lines 63-7, col. 8 lines 56-67, and col. 9-10 lines 63-17).

4.   In regards to claims 3, 10, 16, and 24, Sonesh discloses the method and system,

wherein the telephony network is a publicly-switched telephony network (Fig. 1 and

PSTN 111).

5.   In regards to claims 4, 11, and 25, Sonesh discloses the method, wherein the

CTI processor at the call center is adapted as an Internet server, and the data link is

established by the computer platform at the remote agent station dialing up an Internet

service provider and establishing an Internet connection to the CTI processor (col. 6

lines 49-58, col. 8 lines 31-39, col. 9-10 lines 63-4, and col. 10 lines 33-65).

6.   In regards to claims 5, 6, 12, 13, 17, and 18, Sonesh discloses the method,

wherein the data forwarded is displayed as a screen pop on a video display connected

to the computer platform at the remote agent station (col. 6 lines 34-55 and col. 7 lines

24-32).

7.   In regards to claims 7, 14, and 19, Sonesh discloses the method, wherein first

control routines executing at the CTI processor and second control routines executing at

the computer platform at the remote agent station are adapted to cooperate over the

data link to provide call center services to the agent at the remote agent station (col. 6 lines 49-58 and col. 10 lines 5-32).

8.   In regards to claim 21, Sonesh discloses the system, wherein the data connection is established prior to a first call being switched to the remote agent station, and is maintained open thereafter as further calls are switched to the remote agent station (col. 10 lines 5-9).

Response to Arguments

9.   Applicant's arguments filed 04/05/04 have been fully considered but they are not persuasive. Applicant argues that Sonesh, does not teach "retrieving data associated with the selected incoming call from a database at the call center" nor "forwarding the data associated with the selected incoming call to the computer platform at the remote agent station via the data link." Examiner respectfully disagrees with this argument. Sonesh, does teach "retrieving data associated with the selected incoming call from a database (database server 130) at the call center (call centers 501 and 502) (Fig. 1, col. 6 lines 49-55, and col. 7 lines 17-21) " and "forwarding the data associated with the selected incoming call to the computer platform at the remote agent station (remote agents 503) via the data link (Fig. 5 and col. 10 lines 5-32)." Applicant states that data associated with the incoming call routed to the remote station is not automatically forwarded to the remote station according to the teachings of Sonesh. Examiner respectfully disagrees with this argument. Sonesh does teach automatically forwarding to the remote station, data associated with the incoming call routed to the remote station

(col. 10 lines 5-32). Therefore, information required by the remote station, is retrieved by the remote station prior to the call being forwarded to the remote station.

Conclusion

10.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Neyman (US 6,215,783) teaches a private IP telephony backbone linking widely-distributed enterprise sites.

11.   This is a RCA of applicant's earlier Application No. 09/387,616. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

12.   A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

13.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Thjuan P Knowlin whose telephone number is (703)
308-1727. The examiner can normally be reached on Mon-Fri 8:00-4:30pm.

14.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Ahmad Matar can be reached on (703)305-4731. The fax phone number for
the organization where this application or proceeding is assigned is 703-872-9306.

15.   Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for
published applications may be obtained from either Private PAIR or Public PAIR.
Status information for unpublished applications is available through Private PAIR only.
For more information about the PAIR system, see http://pair-direct.uspto.gov. Should
you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).

Thjuan P. Knowlin
June 1, 2004
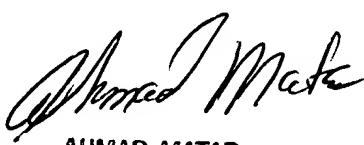
AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600